

Assembly Bill No. 1679

Passed the Assembly June 23, 2008

Chief Clerk of the Assembly

Passed the Senate June 19, 2008

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 7643 of the Family Code, relating to paternity actions.

LEGISLATIVE COUNSEL'S DIGEST

AB 1679, Evans. Paternity actions: records.

The Uniform Parentage Act governs the determination of parent and child relationships in this state, including a judgment of paternity. Existing law requires that, in a trial or hearing held pursuant to provisions governing paternity, papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in a public agency or elsewhere, are subject to inspection only in exceptional cases upon an order of the court for good cause shown. However, papers and records pertaining to the action or proceeding that are part of the permanent record of the court are subject to inspection by the parties to the action and their attorneys.

This bill would additionally authorize an agent acting pursuant to written authorization from the parties to the action or their attorneys to inspect those records, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 7643 of the Family Code is amended to read:

7643. (a) Notwithstanding any other law concerning public hearings and records, a hearing or trial held under this part may be held in closed court without admittance of any person other than those necessary to the action or proceeding. Except as provided in subdivision (b), all papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in a public agency or elsewhere, are subject to inspection only in exceptional cases upon an order of the court for good cause shown.

(b) Papers and records pertaining to the action or proceeding that are part of the permanent record of the court are subject to inspection by the parties to the action, their attorneys, and by agents

acting pursuant to written authorization from the parties to the action or their attorneys. An attorney shall obtain the consent of the party to the action prior to authorizing an agent to inspect the permanent record. An attorney shall also state on the written authorization that he or she has obtained the consent of the party to authorize an agent to inspect the permanent record.

Approved _____, 2008

Governor